

Michael L. Rodenbaugh (SBN 179059)  
Rodenbaugh Law  
548 Market Street, Box 55819  
San Francisco, CA 94104  
Phone: (415) 738-8087

Matthew J. Ladenheim (*pro hac vice*)  
Jonathan M. Hines (*pro hac vice*)  
TREGO, HINES & LADENHEIM, PLLC  
10224 Hickorywood Hill Ave., Suite 202  
Huntersville, NC 28078  
Phone: (704) 599-8911

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

U.S. COTTON, LLC

Plaintiff

vs.

A TO Z BEAUTY, LLC D/B/A  
CLIGANIC

Defendant.

Civil Action No.: 4:21-cv-02141-HSG

**STIPULATION AND ORDER  
REQUESTING RELIEF FROM CASE  
DEADLINES AND SCHEDULING OF  
CASE MANAGEMENT CONFERENCE**

Pursuant to Civil Local Rule 16-2(d) and 7-12, and further to the telephonic conference with the Court on December 16, 2021 (ECF No. 46), and to the Court's order dated January 8, 2022 (ECF No. 52), Defendant A To Z Beauty, LLC d/b/a Cliganic ("Cliganic") and Plaintiff U.S. Cotton, LLC ("USC"), hereby stipulate and respectfully request that the Court stay all deadlines in this matter for an additional 30 days, including continuance of all deadlines

currently established by this Court's Amended Scheduling Order (ECF No. 52), to provide the parties opportunity to complete the agreed settlement of this matter. The parties and counsel believe this will be the final extension necessary. The parties now have agreed to all terms of a settlement agreement that will result in voluntary dismissal of this case. However, the agreement calls for the provision by Defendant to Plaintiff of samples of certain products prior to final execution of the agreement. Because of shipping delays and logistic challenges, the parties need another few weeks for Defendant to ship these products to Plaintiff. Counsel for both parties expect this process to be complete within 30 days.

There have been three prior stipulations and resulting orders (ECF No. 40, 50, 52) affecting the court's scheduling orders.

The parties and their counsel maintain there is good cause for this extension as the party representatives have reached a final written settlement in principle, and they intend to promptly and completely resolve this matter without further undue litigation cost or burden to the Court.

In the event the matter is not dismissed by March 7, 2022, the parties propose the following, amended schedule at this time:

<b>EVENT</b>	<b>PROPOSED SCHEDULE</b>
Rule 26(a)(1) Initial Disclosures	Complete
Disclosure of Asserted Claims and Infringement Contentions by Plaintiff (Patent L.R. 3-1 & 3-2)	Complete
Invalidity Contentions by Defendant (Patent L.R. 3-3 and 3-4)	Complete
Exchange of Proposed Terms for Claim Construction (Patent L.R. 4-1)	Complete

Exchange of Preliminary Constructions and Extrinsic Evidence (Patent L.R. 4-2)	March 14, 2022
Damages Contentions by Plaintiff (Patent L.R. 3-8)	March 21, 2022
Joint Claim Construction and Prehearing Statement and Expert Reports for Claim Construction (Patent L.R. 4-3)	March 28, 2022
Responsive Damages Contentions by Defendant (Patent L.R. 3-9)	April 11, 2022
Last Day to Amend Pleadings	April 25, 2022
Completion of Claim Construction Discovery (Patent L.R. 4-4)	April 25, 2022
Opening Claim Construction Brief by Plaintiff (Patent L.R. 4-5(a))	May 9, 2022
Responsive Claim Construction Brief by Defendant (Patent L.R. 4-5(b))	May 23, 2022
Reply Claim Construction Brief by Plaintiff (Patent L.R. 4-5(c))	May 30, 2022
Claim Construction Hearing	June 10, 2022 at 2p.m. or at the Court's convenience
Issuance of Claim Construction/Pretrial Order ["PO"]	At the convenience of the Court

Respectfully submitted,

**RODENBAUGH LAW**

Dated: February 7, 2022

By: 

Michael L. Rodenbaugh (SBN 179059)  
Rodenbaugh Law

548 Market Street, Box 55819  
San Francisco, CA 94104  
Phone: (415) 738-8087

Matthew J. Ladenheim (*pro hac vice*)  
Jonathan M. Hines (*pro hac vice*)  
TREGO, HINES & LADENHEIM, PLLC  
10224 Hickorywood Hill Ave., Suite 202  
Huntersville, NC 28078  
Phone: 704-599-8911

*Attorneys for Plaintiff*  
*U.S. Cotton, LLC*

Dated: February 7, 2022

Respectfully submitted,

By: /s/ Erik R. Fuehrer  
Erik R. Fuehrer (Bar No. 252578)  
**DLA PIPER LLP (US)**  
2000 University Avenue  
East Palo Alto, CA 94303  
Tel: 650.833.2000  
Fax: 650.833.2001  
erik.fuehrer@us.dlapiper.com

Michael G. Strapp (*pro hac vice*)  
Christopher Deck (*pro hac vice*)  
**DLA PIPER LLP (US)**  
33 Arch Street, 26th Floor  
Boston, MA 02110-1447  
Tel: 617.406.6000  
Fax: 617.406.6100  
michael.strapp@us.dlapiper.com  
christopher.deck@us.dlapiper.com

Attorneys for Defendant  
A TO Z BEAUTY, LLC D/B/A CLIGANIC

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED,**

2  2/8/2022  
3 District Judge Haywood S. Giffam Jr. Date  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28